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PTO/SB/05 (4/98) Approved for use through 09/30/2000. OMB 0651-0032

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| UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 C.F.R. § 1.53(b)) | | Attorney Docket No. <input type="text" value="136P17US01"/> |
| | | First Inventor or Application Identifier <input type="text" value="Frank Duimovich"/> |
| | | Title <input type="text" value="METHOD AND SYSTEM FOR MANAGING PERFORMANCE"/> |
| | | Express Mail Label No. <input type="text" value="EF117894291US"/> |

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| APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents. | | ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231 |
| <p>1. <input type="checkbox"/> * Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Specification [Total Pages <input]<br="" type="text" value="28"/>(preferred arrangement set forth below)</p> <ul style="list-style-type: none"> - Descriptive title of the Invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure <p>3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <input]<="" p="" type="text" value="10"/> <p>4. Oath or Declaration [Total Pages <input]<="" p="" type="text" value="1"/> <ul style="list-style-type: none"> a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 16 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b). </p></p> | | <p>5. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies |
| ACCOMPANYING APPLICATION PARTS | | |
| <p>7. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>8. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input type="checkbox"/> Power of (when there is an assignee) <input type="checkbox"/> Attorney</p> <p>9. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>10. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>11. <input type="checkbox"/> Preliminary Amendment</p> <p>12. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>* Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application. (PTO/SB/09-12) <input type="checkbox"/> Status still proper and desired</p> <p>14. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>15. <input checked="" type="checkbox"/> Other: <u>Unexecuted Combined Declaration and Power of Attorney</u></p> | | |

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16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

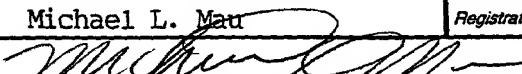
Continuation Divisional Continuation-in-part (CIP) of prior application No: _____

Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

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| Name Michael L. Mau Mau & Krull, P.A. | | | | |
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| Name (Print/Type) Michael L. Mau | Registration No. (Attorney/Agent) 30,087 |
| Signature  | Date 4/3/01 |

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04-04-01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frank Duimovich et al

Docket: 136P17US01

Title: METHOD AND SYSTEM FOR MANAGING PERFORMANCE OF DATA TRANSFERS FOR A DATA ACCESS SYSTEM

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EF117894291US

Date of Deposit: April 3, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

By: 
Name: Denise A. Schullo

BOX PATENT APPLICATION

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

Transmittal sheet containing Certificate under 37 CFR 1.10 (in duplicate)

Utility Patent Application Transmittal

Utility Patent Application: Spec. 26 pgs; 11 claims; Abstract 1 pg.

Ten (10) Sheets of Drawings

Unsigned Combined Declaration and Power of Attorney

Return postcard

PAYMENT OF THE FILING FEE IS BEING DEFERRED.

Please charge any additional fees or credit overpayment to Deposit Account No. 500549. A duplicate of this sheet is enclosed.

Date: April 13, 2001

By: 
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